

Application Number 10/670,595

Amendment responsive to Final Office Action mailed April 10, 2007

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### REMARKS

This Amendment is responsive to the Final Office Action dated April 10, 2007.

Applicant has amended claims 1, 11, 21, and 34; cancelled claims 6, 7, 12, 13, 17-20, and 26-33; and added new claims 35-38. Claims 1-5, 8, 11, 14-16, 21-25, and 34-38 are pending.

Applicant has amended each of independent claims 1, 11, and 21 to include the limitations previously presented in dependent claims 7, 13, and 26, respectively. In addition, Applicant has amended claim 34 to depend on independent claim 21. Claim 34 previously depended on claim 26, the content of which is now included in amended independent claim 21.

Applicant respectfully requests entry of this after-final Amendment. This Amendment does not raise any new issues, and will not require any further search. Further, Applicant submits that the amendments place the claims in condition for allowance, or in better form for appeal.

### Allowable Subject Matter

In the Final Office Action, the Examiner indicated that claims 7, 13, 26, and 34 were objected to as being dependent on a rejected base claim, but would allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 7 depended from dependent claim 6. Dependent claim 6 depended directly from independent claim 1. Applicant has amended independent claim 1 to include the subject matter of claims 6 and 7, and cancelled claims 6 and 7. Therefore, Applicant respectfully submits that claims 1-5 and 8 are in condition for allowance.

Similarly, claim 13 depended from dependent claim 12. Dependent claim 12 depended directly from independent claim 11. Applicant has amended independent claim 11 to include the subject matter of claims 12 and 13, and cancelled claims 12 and 13. Therefore, Applicant respectfully submits that claims 11 and 14-16 are in condition for allowance.

Claim 26 depended directly from independent claim 21. Applicant has amended independent claim 21 to include the subject matter of claim 26, and cancelled claim 26. Therefore, Applicant respectfully submits that claims 21-25, 33, and 34 are in condition for allowance.

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**Claim Rejection Under 35 U.S.C. § 112**

In the Final Office Action, the Examiner rejected claims 1-10 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claim 1, the Office Action stated that the phrase "a controller for directing the communication link to receive and transmit and the memory to store the medication-taking data" is unclear. Applicant has amended claim 1, for purposes of clarification, to recite "a controller for directing the communication link to receive and transmit medication-taking data, for directing the memory to store the medication-taking data. . ."

Also, with respect to claim 2, the Office Action stated that the limitation "medication-taking data" lacks sufficient antecedent basis. Claim 2 is dependent upon claim 1. As previously described, amended independent claim 1 recites "a controller for directing the communication link to receive and transmit medication-taking data." Therefore, Applicant submits that proper antecedent basis is provided for the limitation "the medication-taking data."

Applicant submits that claims 1-10, as amended, particularly point out and distinctly claim the subject matter, as required by 35 U.S.C. 112, second paragraph. Withdrawal of this rejection is requested.

**Claim Rejection Under 35 U.S.C. § 102**

In the Final Office Action, the Examiner rejected claims 1-6, 8, 11-12, 14-25 and 27-33 under 35 U.S.C. 102(e) as being anticipated by Walker et al. (US Publication No.2007/0073560, herein referred to as Walker). Applicant respectfully traverses the rejection. Walker fails to disclose each and every feature of the claimed invention, as required by 35 U.S.C. 102(e), and provides no teaching that would have suggested the desirability of modification to include such features.

However, in order to expedite allowance of this Application, Applicant has amended independent claims 1, 11, and 21 to include subject matter that the Examiner has indicated is allowable. Accordingly, Applicant respectfully suggests that these rejections are rendered moot.

Applicant reserves the right to pursue any cancelled claims, and non-cancelled claims as previously presented, in future submissions or one or more continuation applications.

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New Claims:

Applicant has added claims 35-38 to the pending application. The applied references fail to disclose or suggest the inventions defined by Applicant's new claims, and provide no teaching that would have suggested the desirability of modification to arrive at the claimed inventions.

No new matter has been added by the new claims. New claim 35 contains subject matter similar to that of previously presented claim 19, which has now been cancelled. Similarly, new claims 36-38 respectively contain subject matter similar to that of previously presented claims 29-31, which have now been cancelled. Each of the new claims depends from an independent claim that recites subject matter that the Examiner indicated was allowable.

**CONCLUSION**

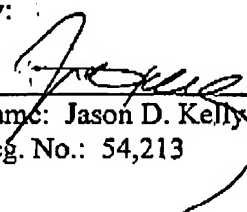
All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

6-7-07

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